



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

JAN 21 2016

Mr. James Good  
Executive Director  
Pittsburgh Water and Sewer Authority  
1200 Penn Avenue  
Pittsburgh, PA 15222

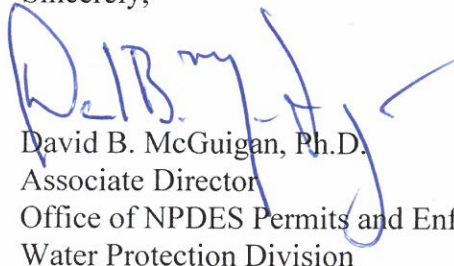
Re: Information Requirement

Dear Mr. Good:

Enclosed please find an Information Requirement issued this date pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 and requires, among other things, that the Pittsburgh Water and Sewer Authority (PWSA) provide detailed information regarding the completion of a Source Reduction Study as well as combined and separate sewer system overflow data. The requirement to provide the Environmental Protection Agency ("EPA") with the information requested is mandatory, and you must respond in accordance with the instructions and deadlines set forth in the Information Requirement. EPA expects that PWSA will coordinate its response to this Information Requirement with the City of Pittsburgh.

Please contact Ms. Allison Graham at (215) 814-2373 or Ms. Kaitlin McLaughlin at (215) 814-2393 if you have any questions regarding this Information Requirement. If you have any legal questions, you may contact Ms. Yvette Roundtree, Assistant Regional Counsel, at (215) 814-2685.

Sincerely,

  
David B. McGuigan, Ph.D.  
Associate Director  
Office of NPDES Permits and Enforcement  
Water Protection Division

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

In The Matter of	:	
	:	
The City of Pittsburgh	:	Proceeding under Section 308 of the
512 City-County Building	:	Clean Water Act, 33 U.S.C. § 1318
414 Grant Street	:	
Pittsburgh, PA 15219	:	
	:	
and	:	
	:	
Pittsburgh Water and Sewer Authority	:	INFORMATION REQUIREMENT
1200 Penn Avenue	:	
Pittsburgh, PA 15222	:	
	:	
<u>Respondents</u>	:	

**INFORMATION REQUIREMENT**

**I. STATUTORY AUTHORITY**

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency ("EPA") by Section 308 of the Clean Water Act ("CWA" or the "Act"), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III, who in turn has delegated it to the Associate Director of the Office of National Pollutant Discharge Elimination System ("NPDES") Permits and Enforcement. EPA hereby requires the City of Pittsburgh ("City") and Pittsburgh Water and Sewer Authority ("PWSA") ("Respondents") to provide the information specified below.

**II. STATUTORY AND REGULATORY BACKGROUND**

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the Act, including but not limited to:
  - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;

- b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
  - c. any requirement under Section 308 of the CWA; and
  - d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.
3. Failure to respond as directed to a CWA Section 308 requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.
4. You may, if you desire, assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information required herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. (See 5 C.F.R. Section 1320.3(c)).

### **III. INSTRUCTIONS**

5. Provide a separate narrative response for each question contained in this Information Requirement and for each subpart of each question. Precede each answer with the corresponding number of the question to which it responds.
6. Identify each person responding to each question contained in this Information Requirement on behalf of the Respondents, as well as each person consulted in the preparation of the response.
7. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
8. Indicate on each document produced in response to this Information Requirement, or in some other reasonable manner, the number(s) of the question(s) to which it corresponds.
9. If required information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available, the Respondents must supplement its response to EPA. Moreover, should the Respondents

find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts; the Respondents must provide EPA with a corrected response as soon as possible.

10. If a question asks for a date or figure (e.g., date of service, dollar amount, volumetric capacity, etc.), you should provide a good faith estimate if you cannot provide the exact figure.
11. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question(s).
12. All submissions provided pursuant to this requirement shall be signed and dated by a responsible official of Respondents and include the following certification:

***"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."***

Signed \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

13. Submit a copy of your response to the following individual:

Ms. Allison Graham (3WP42)  
NPDES Enforcement Branch  
Water Protection Division  
U. S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029

14. If you have questions regarding this Information Requirement, you may contact Ms. Yvette Roundtree of the Office of Regional Counsel at (215) 814-2685 or Ms. Allison Graham of the NPDES Enforcement Branch at (215) 814-2373.



#### **IV. DEFINITIONS**

For the purposes of this Information Requirement, the terms used herein are defined as follows:

15. The term "Combined Sewer Overflow" ("CSO") is a wet weather discharge from a combined sewer system ("CSS") occurring before the headworks of the Plant and may also refer to a point within the CSS, at a location before headworks of a Plant, at which a discharge occurs from the CSS.
16. The term "Combined Sewer System" ("CSS") is a sewer system, or a part thereof, that is designed, permitted, built and operated to convey sanitary sewage, industrial waste and stormwater.
17. The term "Consent Decree" shall mean the 2008 Consent Decree signed by the Allegheny County Sanitary Authority ("ALCOSAN") on January 23, 2008 with the EPA, the Pennsylvania Department of Environmental Protection ("PADEP") and the Allegheny County Health Department ("ACHD").
18. The terms "Document," "Documents," and "Documentation" shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy on which there is any writing, notation, or the like; (c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.
19. The term "Dry Weather Overflow" ("DWO") shall mean an overflow that occurs in a combined sewer system without an accompanying precipitation event or snowmelt.
20. The term "Feasibility Study" refers to the July 2013 Wet Weather Feasibility Study submitted by PWSA pursuant to a PADEP and ACHD Consent Order and Agreement ("COA") signed February 2, 2005.
21. The phrase "identify and produce" means to identify the document by means of a reference number, which you will assign to the document for the purpose of responding to this Information Requirement, and provide a true and accurate copy of the document along with your response to this Information Requirement. If a document is not presently in your possession, identify the document custodian, and give a detailed description of the document by listing its customary business description, its approximate date, and its substance or subject matter.

22. The term "Municipal Separate Storm Sewer System" shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned or operated by the City or PWSA.
23. The term "Permit" shall mean the City of Pittsburgh/PWSA NPDES Permit Number PA0217611.
24. The term "Sanitary Sewer Overflow" ("SSO") shall mean an unauthorized discharge of untreated sewage from a sanitary sewer system ("SSS") and may also refer to a point within the SSS or a down gradient SSS, at a location before the headworks of the Plant at which a discharge occurs from a SSS.
25. The term "Sanitary Sewer System" ("SSS") shall mean a sewer system, or a part thereof, that is designed, permitted, built and operated to convey sanitary sewage and industrial waste.
26. The term "Sewer System" shall mean the CSS and SSS owned and/or operated by the City and/or PWSA.

#### **V. INFORMATION REQUIREMENT**

Pursuant to Section 308 of the Act, 33 U.S.C. § 1318, provide the following information in accordance with the timeframe specified in this Information Requirement:

27. On or before February 28, 2016, submit to EPA all documents included in the City and PWSA's most recent NPDES Permit Renewal Application package for NPDES Permit Number PA0217611.
28. On or before February 28, 2016, submit to EPA all draft or final studies in the City's and PWSA's possession that examined regional implementation, the technical feasibility, and costs of Green Infrastructure (GI) and other source reduction measures drafted since January 1, 2012.
29. On or before February 28, 2016, submit to EPA all GI and other source reduction measures that the City or PWSA has implemented to date and the estimated or total volume of flow reduced at the downstream CSO outfall for each measure. Include all supporting flow reduction calculations. Provide the name, structure ID and NPDES Outfall Number for each associated downstream CSO outfall.
30. On or before February 28, 2016, submit to EPA in electronic format a list of all CSOs owned by the City and PWSA. The list shall include the name, structure ID and NPDES Outfall Number for each CSO outfall.



31. On or before February 28, 2016, submit to EPA in electronic format a list of all CSOs jointly owned by the City and PWSA and ALCOSAN. The list shall include the name, structure ID and NPDES Outfall Number for each CSO outfall.
32. On or before February 28, 2016, submit to EPA a complete map of all CSO outfalls from which the City and PWSA discharge from. The map shall include the name, structure ID, and NPDES Permit Number for each CSO Outfall. The map shall also include the area(s) that contribute to each outfall structure and indicate the type of sewers as combined or separate sewers.
33. On or before February 28, 2016, submit to EPA in electronic format a list of all sanitary sewer outfall structures owned by the City and PWSA. The list shall include the sanitary sewer structure outfall ID.
34. On or before February 28, 2016, submit to EPA in electronic format a list of all sanitary sewer overflows discharged from the City and PWSA's Sewer System, as well as all pumping station malfunctions and overflows since January 1, 2011. The list shall include the date, volume, location, including pumping station location, and if applicable, the SSO structure from which the overflow discharged.
35. On or before February 28, 2016, submit to EPA a complete map of all sanitary sewer outfall structures and pumping stations from which the City and PWSA discharge from. The map shall include the name and sanitary sewer structure outfall ID. The map shall also include the area(s) that contribute to each outfall structure and indicate the type of sewers as combined or separate sewers.
36. On or before February 28, 2016, submit to EPA in electronic format a list of all dry weather overflows discharged from the City and PWSA's Sewer System since January 1, 2011. The list shall include the date, volume and location of all dry weather overflows.
37. On or before February 28, 2016, submit to EPA in an electronic format any and all of the City and PWSA's Long Term Control Plans (LTCP) as required by NPDES Permit Number PA0217611. Each LTCP shall include the date of which it was finalized.
38. On or before February 28, 2016, submit to EPA in an electronic format any and all of the City and PWSA's reports related to Nine Minimum Controls (NMCs). Each NMC report shall include the date of which it was finalized.
39. On or before February 28, 2016, submit to EPA any and all known maps identifying historical stream locations and stream inflow locations within the City and PWSA's Sewer System and Municipal Separate Storm Sewer System.
40. On or before December 1, 2017, for the CSS portion of the City's and PWSA's Sewer System, submit to EPA, with a copy to PADEP, ACHD and ALCOSAN, a Source Reduction Study ("CSS Source Reduction Study") that identifies the types of projects, or a combination of projects, that would most effectively reduce flows within areas of the City and PWSA's Sewer System with high flows, comply with the EPA Combined Sewer

Overflow Control Policy dated April 11, 1994 (“CSO Policy”) within the City’s and PWSA’s Sewer System, and comply with the CSO Policy at its connection with the ALCOSAN Interceptor System. The Source Reduction Study shall include, but not be limited to, the items in the sub-paragraphs below.

- a. An evaluation of green infrastructure (“GI”) projects that can be used for source reduction. The evaluation shall include, but not limited to:
    - i. Identification of areas suitable for GI under control of the City and PWSA;
    - ii. The feasible level of GI implementation for these areas;
    - iii. The estimated flow reductions that may be achieved through implementation of GI in these areas;
    - iv. The identification of streams conveyed into the City and PWSA’s Sewer System;
    - v. The feasibility of stream removal from the City and PWSA’s Sewer System; and
    - vi. The estimated flow reduction that may be achieved through stream removal.
  - b. An assessment of projects included in the submitted Feasibility Study that can be used for source reduction.
  - c. Additional source reduction strategies and projects that may be implemented to reduce CSO discharge occurrence and volume within the City and PWSA’s Sewer System. Those strategies and projects may be further refined through future studies.
  - d. An estimate of the quantification at each point of connection of the anticipated flow reduction for any proposed strategies and projects based on current information and national technical studies and literature.
  - e. The ability to modify the Source Reduction Study to incorporate flow targets once they are established by ALCOSAN in consultation with the municipalities.
41. On or before December 1, 2017, for the SSS portion of its Sewer System, the City and PWSA shall submit to EPA, with a copy to PADEP, ACHD and ALCOSAN, a Source Reduction Study (“SSS Source Reduction Study”) that identifies projects, or a combination of projects, that would most effectively reduce flows with the City and PWSA’s Sewer System, eliminate the City and PWSA’s SSOs, and reduce flows downstream from the City and PWSA’s Sewer System and/or at its connection with the ALCOSAN Interceptor System. The Source Reduction Study shall include, but not be limited to the items listed in the sub-paragraphs below.
- a. Identification of areas or sub-watersheds with high inflow and infiltration rates and the probable cause of the excess flow (which can be determined by flow studies).



- b. The identification of streams conveyed into the City and PWSA's Sewer System.
  - c. The estimated flow reduction that may be achieved through stream removal.
  - d. The identification of areas which might benefit from sewer relining or replacement based upon excess flow.
  - e. The estimated flow reduction that may be achieved through sewer relining or replacement in areas with excess flow.
  - f. The identification of areas which may benefit from lateral inspection and repair.
  - g. The estimated flow reduction that may be achieved through lateral inspection and repair.
  - h. An assessment of the projects included in the previously submitted Feasibility Study of the City and PWSA that can be used for source reduction.
  - i. An identification of priority source reduction strategies and projects that may be implemented to reduce sewage flows with the City and PWSA's Sewer System and the rationale for that priority. Those strategies and projects may be further refined through future flow isolation studies.
  - j. An evaluation of the anticipated flow reduction for any proposed strategies and projects for each area with high inflow and infiltration rates based on current information and national technical studies and literature.
  - k. The ability to modify the Source Reduction Study to incorporate flow targets once they are established by ALCOSAN in consultation with the municipalities.
  - l. The submission of a GIS Map based on the 2008 Comprehensive Flow Monitoring Program conducted by ALCOSAN and updated with information developed in complying with Paragraph 40 and 41.a through 41.k, above. The GIS Map shall be submitted to EPA, with copies to PADEP, ACHD and ALCOSAN, in hard copy and electronic PDF format. The GIS Map must include a legend with a range of inflow and infiltration units for the SSS portion of the City and PWSA's Sewer System.
42. On or before August 1, 2017, the City and PWSA as part of the CSS Source Reduction Study and the SSS Source Reduction Study (collectively "Source Reduction Study") shall collectively include at least one flow reduction demonstration project ("Demonstration Project"). The Demonstration Project shall include one of the following projects listed in the sub-paragraphs below.
- a. Installation of a stormwater technology included in PADEP's Stormwater BMP

Manual that will reduce flows to the City and PWSA's Sewer System.

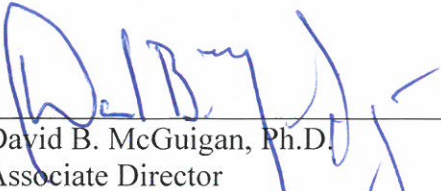
- b. Removal of a stream entering the City and PWSA's Sewer System.
  - c. Enacting appropriate ordinances that expand the use of Low Impact Development (LID) in new and redevelopment projects.
  - d. Enactment of appropriate ordinances requiring testing of private sewer laterals to the SSS portion of the City and PWSA's Sewer System, and the repair or replacement of said private sewer laterals that fail testing, upon the sale or transfer of any property. The required testing of private laterals can only include CCTV testing, dye flood testing, pressure testing or other methods of testing approved by PADEP.
  - e. Completion of a sewer line replacement/lining project to eliminate excess inflow and infiltration from an area or sub-watershed within the SSS portion of the City and PWSA's Sewer System.
43. The City and PWSA can apply the implementation of a flow reduction demonstration project completed in the past two years that included one of the options in Paragraphs 42.a through 42.e, to comply with Paragraph 42, above. Alternatively, pursuant to Paragraph 42.d, above, the City and PWSA can apply the past enactment of a Private Lateral Ordinance for testing and repairing private laterals to comply with Paragraph 42, provided that the City and PWSA diligently enforces such ordinance.
44. On or before December 1, 2017, as part of the Source Reduction Study to be submitted to EPA under Paragraphs 40 and 41 above, the City and PWSA shall submit a report to EPA, with a copy to PADEP, ACHD and ALCOSAN, detailing the completion of the Demonstration Project and, to the extent feasible, quantifying its effectiveness at reducing flows.

#### **VI. EFFECTIVE DATE**

This INFORMATION REQUIREMENT is effective upon receipt.

Date:

1/21/16

  
\_\_\_\_\_  
David B. McGuigan, Ph.D.  
Associate Director  
Office of NPDES Permits and Enforcement

